

Hand-Delivered

FILED
ASHEVILLE, N.C.

OCT 30 2018
U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

UNITED STATES OF AMERICA)	DOCKET NO. 1:18CR92
vs.)	
)	Notice,
JAMES E. MACALPINE,)	Assignment of Claim,
Defendant)	Directive to Fiduciary.
)	File for Record

Notice to All Affected Parties,

TO ALL TO WHOM THESE PRESENTS SHALL COME

Declaration of Assignment of Claim of Subrogation,

Directive to Trustee/Fiduciary

COMES NOW, the Beneficiary, James Edward MacAlpine, a living, breathing sentient being, Man, without assistance of counsel, not the defendant, not a trustee for the trust JAMES E. MACALPINE, but with full standing and capacity as the sole beneficiary of the bare trust JAMES E. MACALPINE with a Notice to all affected Parties, with a Declaration of Assignment of Claim of Subrogation to the UNITED STATES, and with a Directive to the appointed Trustee/Fiduciary.

Notice to All Affected Parties

Beneficiary James Edward MacAlpine hereby and herewith declares on and for the Record that he is exercising his right as sole beneficiary of the bare trust JAMES E. MACALPINE to assign all rights, title, and interest in the funds generated by the claim of the Plaintiff, UNITED STATES OF AMERICA, which are lodged in the AllianzGI NFJ Large Cap Value Fund under CUSIP Number 018918458, which are now under the control of the

Assignment of Claim

Page 1 of 10

1 beneficiary, James Edward MacAlpine, by right of Claim of Subrogation which has been filed
2 into the Record of the instant case as Docket entry No. 22.

3
4 **Declaration of Assignment of Claim of Subrogation**

5
6 Beneficiary, James Edward MacAlpine, does now lodge into the Record of the instant
7 case an assignment of all rights, title, and interest in the Claim of Subrogation to the United
8 States, said assignment being annexed hereto as ANNEX A.

9
10 **Directive to Trustee/Fiduciary**

11 Beneficiary, James Edward MacAlpine, hereby and herewith directs the
12 Trustee/Fiduciary, R. Andrew Murray, U.S. ATTORNEY, or any agent that he may appoint
13 who has the authority to perform, to put his signature to the indorsement on the reverse of the
14 Claim of Subrogation and then to use the assets of the Claim of Subrogation to set-off and
15 settle all charges against the trust, JAMES E. MACALPINE, charged as the Defendant in the
16 instant case, No. 1:18CR92, and then to dispose of the instant case and to close the green file.

17 U.S. ATTORNEY, R. Andrew Murray, your attention is directed to
18 Title 50 U.S.C. § 4305(b)(2), which reads:

19
20 “(2) Any payment, conveyance, transfer, assignment, or delivery of property or interest
21 therein, made to or for the account of the **United States**, or as otherwise directed,
22 pursuant to this subdivision or any rule, regulation, instruction, or direction issued
23 hereunder shall to the extent thereof be a full acquittance and discharge for all purposes
24 of the obligation of the person making the same; and **no person shall be held liable in
any court for or in respect to anything done or omitted in good faith in connection
with the administration of, or in pursuance of and in reliance on, this subdivision,
or any rule, regulation, instruction, or direction issued hereunder.**”

25 Beneficiary, James Edward MacAlpine, has converted the Claim of Subrogation to a
26 security of the United States. See Title 18 U.S.C. § 8, which reads:

27
28 The term “obligation or other **security of the United States**” includes all bonds,
29 certificates of indebtedness, national bank currency, Federal Reserve notes, Federal

1 Reserve bank notes, coupons, United States notes, Treasury notes, gold certificates,
2 silver certificates, fractional notes, certificates of deposit, bills, checks, or drafts for
3 money, drawn by or upon authorized officers of the United States, stamps and **other**
4 **representatives of value**, of whatever denomination, **issued under any Act of**
5 **Congress**, [in this case 50 U.S.C. § 4305(b)(2)] and canceled United States stamps.

6 Trustee/Fiduciary, U.S. ATTORNEY R. Andrew Murray, if you refuse or fail to perform
7 your Trustee/Fiduciary duty as issued under this directive within 3 calendar days of receipt of
8 same, a conclusive presumption may be drawn that you have conspired with others to defraud
9 the United States from receiving funds assigned to it. Govern yourself accordingly.

10 VERIFICATION

11 I, James Edward MacAlpine, a North Carolina State Citizen and one of the
12 People of North Carolina, makes this Verification based on personal knowledge of
13 matters set forth herein and appearing without waiving any rights or remedies, being
14 competent in mind and body to testify, do hereby declare, verify and affirm that the
15 facts stated herein are true, correct, and complete in all material fact, not
16 misrepresented based on my own knowledge to the best of my current information,
17 knowledge and belief under the penalty of perjury of the laws of the united States of
18 America and the laws of North Carolina, and is admissible as evidence in a court of
19 law or equity, except as to those matters that are therein made upon information and
20 belief, and as to those claims or facts, I believe them to be true and admissible as
21 evidence, and if called upon as a witness, I will testify as to the veracity of my
22 statements.

23 Entered this 30 day of October, 2018.

24 James Edward MacAlpine

25 L.S. James Edward MacAlpine
26 One of the People of the body
27 politic the State of North Carolina
28
29
30

Certification of Service

This is to certify that a copy of Notice to All Affected Parties, Declaration of Assignment of Claim of Subrogation, Directive to Trustee/Fiduciary, and Assignment of Claim of Subrogation has been mailed by pre-paid USPS First Class Certified Mail bearing the following numbers on October 30th, 2018 by James Edward MacAlpine to:

Plaintiff's U.S. Attorney

R. Andrew Murray
Office of the U.S. Attorney — WDNC
233 U.S. Courthouse Bldg.
100 Otis St.
Asheville, NC 28801

Certified Mailing No. 7017 0660 0000 7339 5114

Administrative Officer of the United States Courts
One Columbus Circle, NE
Washington, D.C. 20544

Certified Mailing No. 7017 0660 0000 7339 5107

G. PATRICK JENNINGS, Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 683
Ben Franklin Station
Washington, D.C. 20044-0683

Certified Mailing No. 7017 0660 0000 7339 5084

Jeff Sessions
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Certified Mailing No. 7017 0660 0000 7339 5091

By: James Edward MacAlpine
James Edward MacAlpine

Assignment of Claim

Page 4 of 10

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ANNEX A

Assignment of Claim

Page 5 of 10

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0

TO HAVE AND TO HOLD SAME UNTO SAID ASSIGNEE.
THIS ASSIGNMENT IS MADE WITHOUT RECOURSE.

IN WITNESS WHEREOF, the Assignor has caused this instrument to be executed the
30th day of October, 2018.

James Edward MacAlpine

L.S. James Edgar [Signature]

STATE OF NORTH CAROLINA)
)
COUNTY OF BUNCOMBE) **ACKNOWLEDGEMENT**

Before me the undersigned, a Notary acting within and for the County of McDowell
and State of North Carolina on this 30 day of October, 2018, personally appeared
and known to me - OR - proved to me on the basis of satisfactory evidence to be the man
whose name is subscribed to the within instrument, to be the identical Free Man, James
Edward MacAlpine, declared the above to be true, correct, and not meant to mis-lead, to the

1 best of his firsthand knowledge, understanding, and belief, by his free will and voluntary act
2 and deed by placing his signature on the foregoing document, executed the within instrument.

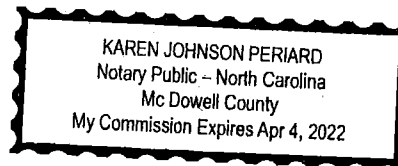
3 Given under my hand and seal this 30 day of OCTOBER, 2018.

4 Karen Johnson Periard
5 Notary signature

Seal

6
7 Karen Johnson Periard
8 Printed Notary name

9 My commission expires 4/4/2022



10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30 Assignment of Claim

Page 7 of 10

From: James Edward MacAlpine, C.S., a man created in His image.
c/o 603 Woodlea Court
Asheville, North Carolina 28806

Located outside the District of Columbia (4 U.S.C. § 72)

To: Administrative Officer of the United States Courts
One Columbus Circle, NE
Washington, D.C. 20544

AND

To: G. PATRICK JENNINGS, Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 683
Ben Franklin Station
Washington, D.C. 20044-0683

AND

To: R. ANDREW MURRAY, United States Attorney
United States District Court
Western District of North Carolina
100 Otis St, Room 309
Asheville, NC 28801

Located outside the District of Columbia (4 U.S.C. § 72)

AND

To: DON GAST Assistant United States Attorney
United States District Court
Western District of North Carolina
100 Otis St, Room 309
Asheville, NC 28801

Located outside the District of Columbia (4 U.S.C. § 72)

AND

To: Clerk of Court
United States District Court
Western District of North Carolina
100 Otis St, Room 309
Asheville, NC 28801

Located outside the District of Columbia (4 U.S.C. § 72)

NOTICE OF CLAIM OF RIGHT OF SUBROGATION FOR COURT BOND FUNDS

ACCEPTED ON BEHALF OF THE UNITED STATES

I, James Edward MacAlpine, C.S., a man of sound mind and age of accountability hereinafter I, me or my, affirm the following facts to be true, correct, complete and not misleading under my full commercial liability.

The Court Administrator, Tammy Hightower, Andrew Murray, Don Gast are hereinafter you or your.

I became aware of securities, having been issued, using my equity without my knowledge or permission as follows:

JAMES MACALPINE (CC 1:18-CR-92)

AllianzGI NFJ Large Cap Value Fund

Symbol: PNBAX

CUSIP: **018918458**

Inception Date: 7/19/2002

Net Assets: \$374,104,000.00 as of
9/28/2018

Portfolio Assets: \$374,104,000.00 as of
9/28/2018 And;

Since it appears that you are using my equity as surety for bonding Case no.: 1:18cr92, I hereby exercise my claim and right of subrogation on the above security.

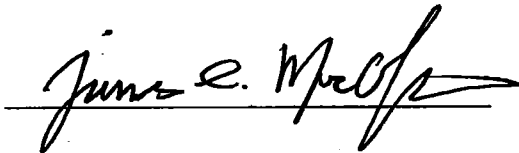
As an alleged defendant, it appears that I am being treated like a trustee of a constructive trust without ever being expressly informed of the nature of my presumed status. In fact, this Court has attempted to conceal these facts and Andrew Murray and his agents refused to divulge my right of subrogation, leaving me with detrimental reliance.

Are there tax records concerning the transfer of this security to Allianz or any other transfers?

I demand that the bonds be brought forth and that the proceeds from said bond be used to set off and settle all charges concerning Case No.: 1:18cr92, to dispose of the case and to close the green file. All remaining equity shall be returned to me in specie or maintained under my direction and control with the Court acting as fiduciary.

If you are subject to 18 U.S.C. § 472 which bars you from talking about anything related to the securities generated by these case numbers, then it would be in your best interests to dismiss this case with prejudice, and return my equity immediately.

October 22, 2018

A handwritten signature in black ink, appearing to read "James E. MacAlpine", written over a horizontal line.

James Edward MacAlpine, C.S.